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21   UNITED STATES DISTRICT COURT

22   NORTHERN DISTRICT OF CALIFORNIA

23   SAN FRANCISCO DIVISION

24   ORACLE AMERICA, INC.   Case No. CV 10-03561 WHA

25   Plaintiff,   **[PROPOSED] ORDER GRANTING
          v.   ORACLE'S SUMMARY MOTION IN
26   LIMINE #4 RE COPYING NOT
     GOOGLE INC.   REQUIRED TO USE THE JAVA
27   LANGUAGE**
              Defendant.
                                             Dept.: Courtroom 8, 19th Floor
28   Judge: Honorable William H. Alsup

                                             [PROPOSED] ORDER GRANTING ORACLE'S
                                             SUMMARY MIL #4 RE COPYING NOT REQUIRED

1   This Court has read and considered Plaintiff Oracle America, Inc.'s Summary Motion In

2   Limine #4 Regarding Copying Not Required To Use the Java Language as well as any Opposition

3   thereto, and any and all additional supporting papers.

4   Based thereon [and on statements made by counsel at the hearing on the Motion], IT IS

5   HEREBY ORDERED THAT Oracle's Motion is GRANTED.

6   All argument, evidence, testimony, and opinions (including expert opinions) that Google

7   (1) was required to copy the declaring code and SSO of the 37 Java API packages because they

8   were technically necessary to program in the Java language and (2) was required to copy the

9   declaring code and SSO of the 37 Java API packages to achieve compatibility or interoperability

10   with Java are excluded from all phases of the trial under Federal Rules of Evidence 401, 402, and

11   403 as irrelevant, prejudicial, confusing, misleading, and legally baseless.

12   IT IS SO ORDERED.

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15   THE HONORABLE WILLIAM ALSUP
                                            UNITED STATES DISTRICT JUDGE

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[PROPOSED] ORDER GRANTING ORACLE'S
                                            SUMMARY MIL #4 RE COPYING NOT
                                            REQUIRED